JUDICIAL.

(Including Civil, Criminal, Police ,andRegistrat ion.)

Subject No. 31.

Empowering Munsifs to issue heirship certificates in their jurisdiction.

Messrs. Guru Rao, Padmamma and Chandrasekaraiya of Nanjangud Taluk, Keladi Venkappa.

Summary of discussion.—All the Munsiffs in the Province may be empowered to issue Heirship certificates to parties in their jurisdiction.

Withdrawn.

Subject No. 32.

Succession Certificate Regulation, VII of 1901.

Mr. S. R. Balakrishna Rao, P. A. L. L. B., Advocate, Shimoga Municipality.

Summary of discussion.—Section No. 4 of the Succession Certificate Regulation may be so amended as to exempt from its operation cases in which the defendant does not dispute the succession of the plaintiff. The amendment may be made by inserting the words "where the succession of the person so claiming is in dispute" immediately after clause (*b*). The reason is that the law being for the benefit of the debtors, the latter may dispense with the necessity for a certificate.

Reply of Government.—The law is not only for the benefit of the debtors but to settle the disputes between claimants to succession. Succession certificates are not required by persons who are co-parceners with creditors who are deceased. The matter will be considered.

Subject No. 33.

Court fee stamps on Heirship certificates.

Messrs. B. Sitaramaiya of Chikmagalur Taluk, S. R. Balakrishna Rao, Linge Gowda, Madappa and Kodandapani Chetty of the Mysore Taluk.

Summary of discussion.—It is requested that Heirship certificates in respect of property below Rs 1,000 in value, may be exempted from payment of Court fees.

Reply of Government.—(*Vide* Subject No. 32.)

Subject No. 34.

The power of signing affidavits should be delegated to the Taluk Sheristadars and Sub Registrars.

Mr. Srikantaiya, Maddagiri Taluk.

Summary of discussion.—Under the rules in force, all affidavits that are to be presented before Civil Courts must be signed by Taluk Magistrates. As they are often on circuit, people feel a great deal of inconvenience. To obviate this, the power of signing affidavits may be delegated to the Taluk Sheristadars and Sub-Registrars.

Reply of Government.—This is not possible as the law is against it. The officers named are neither Magistrates nor Judges.

Subject No. 35.

Refund of Institution fee.

Mr. N Venkataramaiya of Holenarsipur Municipality.

Summary of discussion.—Refund of half the institution fee is ordered to be made in cases in which defendants admit the claim. The Hon'ble Chief Court has ordered that refund of fee should not be made without a rajinama signed by both the parties. This rule which causes hardship may be removed. Also refund of half the fee may be made in cases in which the parties compromise out of Court without contest.

Reply of Government.—The question of amending Sec. 17 A of Regulation II of 1898 is under correspondence with the Chief Court.

Subject No. 36.

Reduction of fees on hypothecation deeds of coffee crops.

Mr. Graham Anderson, C.I.E.

Summary of discussion.—Reduction of fees on hypothecation deeds (*Vide* copy of letter enclosed) may be ordered Mr. Graham Anderson said that a reduction had been made